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Attorneys for Defendant, ATRIA SENIOR  
LIVING, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THOMAS CARNES, by and through his  
Guardian ad Litem, Juliana Christine Clegg,  
on his own behalf and on behalf of others  
similarly situated,

Plaintiff,

vs.

ATRIA SENIOR LIVING, INC., and DOES 1  
through 100,

Defendants.

CASE NO. 3:14-cv-02727-VC

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND TIME FOR FILING  
OF DEFENDANT'S REPLY BRIEF IN  
SUPPORT OF DEFENDANT'S MOTION  
TO DISMISS**

Judge: Hon. Vince Chhabria

Trial Date: None Set

[Civil L.R. 6-1(a)]

1 Pursuant to Local Rule 6-1(a), the parties hereby provide notice of their stipulation to  
2 extend the time for Defendant's Reply brief in support of Defendant's Motion to Dismiss  
3 Plaintiff's First Amended Class Action Complaint.

4 **WHEREAS**, under Local Rule 7-3(c), "[t]he reply to an opposition must be filed and  
5 served not more than 7 days after the opposition was due";

6 **WHEREAS**, the Defendant filed its Motion to Dismiss Plaintiff's First Amended Class  
7 Action Complaint ("Defendant's Motion") on September 11, 2014;

8 **WHEREAS**, the current deadline for Defendant to file his Reply brief in support of  
9 Defendant's Motion to Dismiss is October 9, 2014.;

10 **WHEREAS**, the hearing on Defendant's Motion is scheduled to occur on November 6,  
11 2014;

12 **WHEREAS**, the Parties, upon meeting and conferring, have agreed to modify the briefing  
13 schedule pertaining to Defendant's Motion;

14 **WHEREAS**, the Parties' stipulation will not alter the date of any event or any deadline  
15 already fixed by Court order;

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**NOW THEREFORE, THE PARTIES STIPULATE THAT:**

1. The deadline for Defendant to file its Reply to Plaintiff's opposition will be extended by five (5) days from October 9, 2014, to October 14, 2014.

2. The date of the hearing on Defendant's Motion will remain November 6, 2014.

**IT IS SO STIPULATED.**

Respectfully submitted,

DATED: October 8, 2014

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

By: /s/ Jeffrey S. Ranen

Jeffrey S. Ranen

Attorneys for Defendant,

ATRIA SENIOR LIVING, INC.

DATED: October 8, 2014

**STEBNER & ASSOCIATES**

By: /s/ Kathryn A. Stebner

Kathryn A. Stebner

Attorneys for Plaintiffs and the proposed Class,

THOMAS CARNES

**DECLARATION OF CONSENT**

I, Jeffrey Ranen, hereby declare pursuant to General Order 45, § X(B), that I have obtained concurrence in the filing of this document from Kathryn Stebner. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 8, 2014, in the City of Los Angeles, California.

/s/ Jeffrey S. Ranen

Jeffrey S. Ranen

**~~PROPOSED~~ ORDER**

Pursuant to the Stipulation, **IT IS SO ORDERED.**

DATED: October 9, 2014

  
Honorable Vince Chhabria  
United States District Judge